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March 26, 2020

VIA ECF

The Honorable Nicholas G. Garaufis  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Keith Raniere, 18 Cr. 204 (NGG)

Dear Judge Garaufis:

We write with urgency to request the Court Order the Bureau of Prisons (“BOP”) to release to counsel (i) Keith Raniere’s medical records and (ii) any information regarding his status as a “high-risk” inmate. The undersigned counsel were notified this morning by the Federal Public Defenders Office that the BOP has identified Mr. Raniere as “high risk” for serious illness from COVID-19 under the Center for Disease Control’s definition of the term. Mr. Raniere has previously signed a HIPAA release during his Probation interview with both undersigned counsel present.

Counsel has repeatedly attempted legal calls with Mr. Raniere this week, and counsel’s requests have gone unanswered. Since March 14, 2020, when legal visits were cancelled at the MDC, counsel was granted one 40-minute legal call with Mr. Raniere, which occurred on March 16, 2020. Subsequently, counsel’s request for an in-person legal visit was denied. On March 23, 2019, counsel requested a legal call with Mr. Raniere. The request was “forwarded to the appropriate department,” but the department never contacted counsel. This morning, counsel requested another legal call with Mr. Raniere. The request, copying MDC Legal, has gone unanswered.

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Critically, on March 17, 2020, Mr. Raniere notified counsel Teny Geragos that he received a medical examination that day from MDC staff related to several health issues. On March 23, 2020, Mr. Raniere notified Ms. Geragos that he had not received any follow-up from the medical examination. Today, March 26, 2020, counsel was notified (by Federal Defenders, not the BOP) that Mr. Raniere has been deemed “high-risk.”

As the Court undoubtedly knows, inmates at both the state and federal level in New York have been impacted by the COVID-19 outbreak.<sup>1</sup> At least one inmate in the Metropolitan Detention Center in Brooklyn, where Mr. Raniere is detained, has been diagnosed with COVID-19. Counsel has been unable to conduct a telephone call with our client. Therefore, we respectfully request that this Court Order the BOP to release to counsel Mr. Raniere’s medical records to counsel and any records that indicate the BOP’s designation of Raniere as a “high-risk” inmate.

Thank you for your attention to this matter.

Respectfully submitted,

/s/

Marc A. Agnifilo, Esq., *Of Counsel*  
Teny R. Geragos, Esq.

cc: Counsel for the government (via ECF)

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<sup>1</sup> See, e.g., *Coronavirus Update: Inmate at Metropolitan Detention Center Tests Positive for COVID-19*, CBS News (March 21, 2020), available at <https://newyork.cbslocal.com/2020/03/21/coronavirus-inmate-tests-positive-metropolitan-detention-center-brooklyn/>; Robin McDowell, *38 positive for coronavirus in NYC jails, including Rikers*, ABC News (March 21, 2020), available at <https://abcnews.go.com/US/wireStory/38-positive-coronavirus-nyc-jails-including-rikers-69731911>; see also David Shortell and Kara Scannell, *New coronavirus cases in US jails heighten concerns about an unprepared system*, CNN.com (March 20, 2020).